

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

RICKEY DAVEY

PLAINTIFF

v.

NO. 4:12CV00468 JLH/JTR

SUSAN WEBBER WRIGHT,
United States District Judge, et al.

DEFENDANTS

OPINION AND ORDER

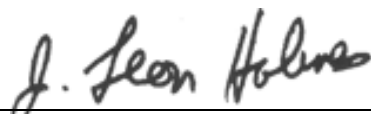
On August 23, 2012, the Court issued an Order giving Rickey Davey thirty days to file an amended complaint and an application to proceed *in forma pauperis*. Doc. #2. Importantly, the Court advised Davey that if he failed to timely do so, this case would be dismissed pursuant to Local Rule 5.5(c)(2), which provides that:

It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding pro se shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.

As of today's date, Davey has not complied with the August 23, 2012 Order, and the time for doing so has expired.

Thus, this case is DISMISSED WITHOUT PREJUDICE. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal would not be taken in good faith.

IT IS SO ORDERED this 2nd day of October, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE